UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,772	02/13/2001	Renee M. Kovales	RSW9 20000127US1	2011

7590 01/26/2007	**EXAMINER**
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IBM Corporation	
T81/503	**ART UNIT** **PAPER NUMBER**
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Research Triangle Park, NC 27709	2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	**Applicant(s)**
Office Action Summary	09/782,772	KOVALES ET AL.
	Examiner	**Art Unit**	
	Joseph T. Phan	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 November 2006</u>.

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-4,6-42,44-59 and 61-91</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-4, 6-42, 44-59, 61-91</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-7, 12-20, 22-37, 41-47, 49-59, 61-62, 67-72, and 74-91 rejected

under 35 U.S.C. 103(a) as being unpatentable over Hamel, et al., Patent #5,943,402

in view of Valco et al., Patent #6,442,243.

Regarding claims 1, 33, and 57, Hamel teaches a method, system and computer

program product for providing at least one bookmark for a voice mail message by a

caller leaving the voice mail message, wherein at least one bookmark is used to mark

one or more segments of the voice mail message(*col.3 lines 3-55 and col.4 lines 63-67,*

col.5 lines 34-48, and col.8 lines 35-67).

Hamel is silent about disclosing these bookmarks as having one or more different

degrees of importance.

However, in the same field of endeavor of managing voicemails, Valco teaches

bookmarks having one or more different degrees of importance (Valco col.12 lines 55-

59).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Hamel's marked segments(Fig.3A) to include one or

more different degrees of importance as taught by Valco in order to distinguish the

segment as urgent or not. Furthermore, Valco uses the same standard twelve key

touch tone telephone keypad as suggested by Hamel(col.2 lines 19-21 and col.3 lines

6-10) for marking.

Regarding claims 2, 34, and 82 **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 1, 33, and 57 further

comprising the step of creating a bookmarked message from the voice mail message

and the at least one bookmark*(col.5 lines 16-48 and col.8 lines 35-67)*

Regarding claim 3, 35, and 58, **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 2, 34, and 82 further

comprising the step of playing the bookmarked message to a listener (*col.4 lines 55-67,*

col.5 lines 16-48, and col.8 lines 35-67).

Regarding claim 4, 36, and 59, **Hamel** in view of Valco teaches the method,

system and computer program product according to claims 1, 33, and 57 wherein at

least one bookmark segments the voice mail message according to one or more

topics(*col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67).*

Regarding claims 6 and 61, **Hamel** in view of Valco teaches the method, system

and computer program product according to Claims 1, 37, and 57 wherein a default

degree of importance is associated with segments not otherwise marked (Valco col.12

lines 55-59 page 5 para 0069).

Regarding claims 7, 37, and 62, **Hamel** in view of Valco teaches the method,

system and computer program product according to claims 1, 33, and 57 wherein at

least one bookmark corresponds to one or more special types of information in the

voice mail message (Valco col.12 lines 55-59 page 5 para 0069).

Regarding claim 67 **Hamel** in view of Valco teaches a computer program

product according to claim 59 further comprising code configured to use the at least one

bookmark to navigate from one topic of the voicemail to another(*col.3 lines 16-55, col.4*

lines 55-67, col.5 lines 16-48, and col.8 lines 35-67).

Regarding claim 14, 41, and 68, **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 2, 34, and 58 further

comprising the step of using the at least one bookmark to perform actions selectively on

one or more segments of the voice mail message (*col.3 lines 16-55, col.4 lines 55-67,*

col.5 lines 16-48, and col.8 lines 35-67; listening to the segment is an action).

Regarding claim 15, 42, and 69, **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 14, 41, and 68 wherein the

selected segments are associated with a topic of the voice mail message(*col.3 lines 16-*

55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67; the beginning of the

voicemail message is a topic for the selected segments).

Regarding claim 16, 43, and 70, **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 14, 41, and 68 wherein the

selected segments have one or more different degrees of importance(Valco col.12 lines

55-59 page 5 para 0069).

Regarding claims 17, 47, and 72 **Hamel** in view of Valco teaches a method,

system and computer program product according to claims 14, 41 and 68, wherein the

selected segments are associated with one or more special types of information in the voice mail message(*col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claim 18, 44, and 71, **Hamel** in view of Valco teaches a method, system and computer program product according to claims 14, 41, and 68, wherein the actions comprise one or more of saving, deleting, forwarding, listening, skipping, or repeating the one or more segments, and marking a particular segment as protected or confidential prior to forwarding the marked segment to another party (Valco *col.12 lines 55-59*).

Regarding claim 19 and 45 **Hamel** in view of Valco teaches a method, system and computer program product according to claims 18 and 44, wherein the actions further comprise marking a selected segment as protected or confidential (Valco *col.12 lines 4-7 and 55-59*).

Regarding claim 20 and 46 **Hamel** in view of Valco teaches a method, system and computer program product according to claims 19 and 45 further comprising forwarding the segment marked as protected or confidential to another party (Valco col.11 lines 45-55 and *col.12 lines 55-59*).

Regarding claim 22 **Hamel** in view of Valco teaches the method according to claim 2, wherein the creating step further comprises storing the bookmarks and the voice mail message separately as the bookmarked message (*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claim 23 **Hamel** in view of Valco teaches the method according to claim 2 wherein the creating step further comprises storing the bookmarks and the voice

mail message intermingled as the bookmarked message (*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claims 24, 49, and 74 Hamel in view of Valco teaches a method, system and computer program product according to claims 3, 35, and 58, further comprising announcing for the bookmarked voice mail message, a number of the bookmarked segments in the voicemail message *(Valco col.5 lines 21-38,Hamel col.5 lines 16-48, and col.8 lines 35-67)*.

Regarding claims 25-26, 50, 75, 83-86 Hamel in view of Valco teaches a method, system and computer program product according to claims 1, 3, 7, 33, 35, 37, 58, 60, and 62 further comprising announcing, before, during, or after playing the voicemail message, the different degree of importance in the voice mail message and a number of segments thereof*(Valco col.5 lines 21-38, Hamel col.5 lines col.5 lines 22-48, col.7 lines 1-8, and col.8 lines 35-67; displaying is also announcing)*.

Regarding claims 27, 51, 76, 87-88 Hamel in view of Valco teaches a method, system and computer program product according to claims 3, 5, 7, 35, 37, 43, 58, 60, and 62 further comprising announcing, before and after playing the voicemail message, the special types of information in the voicemail message*(Valco col.5 lines 21-38, Hamel col.5 lines col.5 lines 22-48, col.7 lines 1-8, and col.8 lines 35-67; displaying is also announcing)*.

Regarding claims 28, 52, and 77 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 7, 37, and 62 wherein particular ones of the special types of information are required, and further comprising

the step of prompting the caller to provide input for each particular one for which no bookmark is otherwise provided *(col.5 lines 16-48, and col.8 lines 35-67, Valco col.5 lines 21-38)*.

Regarding claims 29, 53, and 78 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 2, 34, and 58 further comprising the step of associating one or more audio cues with one or more bookmarks of the voice mail message *(col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67)*.

Regarding claims 30, 54, and 79 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 29, 53, and 78 further comprising the steps of playing the bookmarked message to a listener; and incorporating the one or more associated audio cues along with respective portions of the voice mail message corresponding to the one or more bookmarks *(col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67)*.

Regarding claims 31, 55, and 80 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 30, 54, and 79 wherein the step of incorporating the one or more associated audio cues further comprises incorporating each associated audio cue with its respective portion of the voice mail message *(col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67)*.

Regarding claims 32, 56, and 81 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 30, 54, and 79 wherein the step of incorporating the one or more associated audio cues further comprises

incorporating each associated audio cue in-line with its respective portion of the voice mail message(*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claims 89-91 **Hamel** in view of Valco teaches a method, system and computer program product according to claims 1, 33, and 57 wherein the caller provides a plurality of bookmarks for the voice mail message (*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

2.   **Claims 8-10, 38, 40, and 63-66 rejected under 35 U.S.C. 103(a) as being unpatentable over Hamel in view of Valco further in view of Parsons et al., Patent #6,970,906.**

Regarding claims 8-10, 38, 40, and 63-66 **Hamel** in view of Valco teaches the method, system and computer program product according to claims 7, 37, and 62.

Hamel is silent about disclosing wherein at least one of the special types of information is one of a: callback telephone number for the caller; a callback time at which to respond to the voice mail message; a callback date on which to respond to the voice mail message; a name of the caller; a URL; an email address; or a protection/confidentiality indicator.

However, in the same field of endeavor of managing voicemails, Parsons teaches wherein at least one of the special types of information is one of a: callback telephone number for the caller; a callback time at which to respond to the voice mail message; a callback date on which to respond to the voice mail message; a name of

the caller; a URL; an email address; or a protection/confidentiality indicator(Parsons

col.6 lines 16-35 *and col.9 lines 49-57).*

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Hamel's marked segments(Fig.3A) to include a callback

telephone number for the caller; a callback time at which to respond to the voice mail

message; a callback date on which to respond to the voice mail message; a name of

the caller; a URL; an email address; or a protection/confidentiality indicator(Parsons

col.6 lines 16-35).

3.   **Claims 11, 21, 39, 48, and 73 rejected under 35 U.S.C. 103(a) as being**

unpatentable over Hamel in view of Valco further in view of Haddock, Patent

#5,742,736.

Regarding claims 11, 21, 39, 48, and 73 **Hamel** in view Valco teaches a method,

system and computer program product according to claims 17, 37, 47, and 72. .

Hamel is silent on wherein at least one of the special types of information

comprises a uniform resource locator(URL) and where at least one of the actions

comprises automatically establishing a connection to the URL.

However, in the same field of endeavor, Haddock teaches viewing and

manipulating voice mail messages on a computer display and the contents thereof can

be retrieved and connected to applications on the computer (col.4 lines 38-54).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to include a computer display like in Haddock to view and access

information within voice mail messages as taught in Hamel(col.1 lines 45-52).

One of ordinary skill in the art would have been motivated to do this as

automatically connecting to a URL via a displayed hyperlink is old and well-known in the

art and since Haddock's user is able to use information(e.g. phone #, points of interest,

etc.) to automatically establish a connection to it, URL's are just an example of points of

interest that can be accessed with a computer application(e.g. "Internet Explorer").

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-7, 11-20, 21-37, 39, 41-48, 49-59, 61-62, 67-73, and 74-91

rejected under 35 U.S.C. 103(a) as being unpatentable over Hamel, et al., Patent

#5,943,402 in view of Bates, Patent #6,832,350.

Regarding claims 1, 33, and 57, Hamel teaches a method, system and computer

program product for providing at least one bookmark for a voice mail message by a

caller leaving the voice mail message, wherein at least one bookmark is used to mark

one or more segments of the voice mail message(*col.3 lines 3-55 and col.4 lines 63-67,*

col.5 lines 34-48, and col.8 lines 35-67).

Hamel is silent about disclosing that his bookmarked segments have one or more different degrees of importance.

However, Bates teaches using bookmarks to mark a segment as important(Fig.4, col.2 lines 1-6 and col.7 lines 13-31).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Hamel's marked segments(Fig.3A) to include one or more different degrees of importance as taught by Bates in order to distinguish Hamel's bookmarked segments as important or not.

Regarding claims 2, 34, and 82 **Hamel** in view of Bates teaches a method, system and computer program product according to claims 1, 33, and 57 further comprising the step of creating a bookmarked message from the voice mail message and the at least one bookmark*(col.5 lines 16-48 and col.8 lines 35-67)*

Regarding claim 3, 35, and 58, **Hamel** in view of Bates teaches a method, system and computer program product according to claims 2, 34, and 82 further comprising the step of playing the bookmarked message to a listener (*col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claim 4, 36, and 59, **Hamel** in view of Bates teaches the method, system and computer program product according to claims 1, 33, and 57 wherein at least one bookmark segments the voice mail message according to one or more topics(*col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claims 6 and 61, **Hamel** in view of Bates teaches the method, system and computer program product according to Claims 1, 37, and 57 wherein a default

degree of importance is associated with segments not otherwise marked (Bates col.2 lines 1-6 and col.7 lines 1-22).

Regarding claims 7, 37, and 62, **Hamel** in view of Bates teaches the method, system and computer program product according to claims 1, 33, and 57 wherein at least one bookmark corresponds to one or more special types of information in the voice mail message (Bates col.12 lines 55-59).

Regarding claims 11, 21, 39, 48, and 73 **Hamel** teaches a method, system and computer program product according to claims 17, 37, 47, and 72.

Hamel is silent on wherein at least one of the special types of information comprises a uniform resource locator(URL) and where at least one of the actions comprises automatically establishing a connection to the URL.

However, Bates teaches URL's whereby selecting these URL's automatically establishes a connection to the URL(col.7 lines 13-27).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a computer display like in Bates to view and access information within voice mail messages as taught in Hamel(col.1 lines 45-52).

One of ordinary skill in the art would have been motivated to do this as automatically connecting to a URL via a displayed hyperlink is old and well-known in the art(Bates background dated 1998).

Regarding claim 67 **Hamel** in view of Bates teaches a computer program product according to claim 59 further comprising code configured to use the at least one

bookmark to navigate from one topic of the voicemail to another(*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claim 14, 41, and 68, **Hamel** in view of Bates teaches a method, system and computer program product according to claims 2, 34, and 58 further comprising the step of using the at least one bookmark to perform actions selectively on one or more segments of the voice mail message (*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67; listening to the segment is an action*).

Regarding claim 15, 42, and 69, **Hamel** in view of Bates teaches a method, system and computer program product according to claims 14, 41, and 68 wherein the selected segments are associated with a topic of the voice mail message(*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67; the beginning of the voicemail message is a topic for the selected segments*).

Regarding claim 16, 43, and 70, **Hamel** in view of Bates teaches a method, system and computer program product according to claims 14, 41, and 68 wherein the selected segments have one or more different degrees of importance(Bates col.2 lines 1-6 and col.7 lines 1-22).

Regarding claims 17, 47, and 72 **Hamel** in view of Bates teaches a method, system and computer program product according to claims 14, 41 and 68, wherein the selected segments are associated with one or more special types of information in the voice mail message(*col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67*).

Regarding claim 18, 44, and 71, **Hamel** in view of Bates teaches a method, system and computer program product according to claims 14, 41, and 68, wherein the

actions comprise one or more of saving, deleting, forwarding, listening, skipping, or

repeating the one or more segments, and marking a particular segment as protected or

confidential prior to forwarding the marked segment to another party (*col.4 lines 55-67,*

col.5 lines 16-48, and col.8 lines 35-67).

Regarding claim 19 and 45 **Hamel** in view of Bates teaches a method, system

and computer program product according to claims 18 and 44, wherein the actions

further comprise marking a selected segment as protected or confidential (Bates *col.12*

lines 4-7 and 55-59).

Regarding claim 20 and 46 **Hamel** in view of Bates teaches a method, system

and computer program product according to claims 19 and 45 further comprising

forwarding the segment marked as protected or confidential to another party (Bates

col.11 lines 45-55 and *col.12 lines 55-59).*

Regarding claim 22 **Hamel** in view of Bates teaches the method according to

claim 2, wherein the creating step further comprises storing the bookmarks and the

voice mail message separately as the bookmarked message (*col.3 lines 16-55, col.4*

lines 55-67, col.5 lines 16-48, and col.8 lines 35-67).

Regarding claim 23 **Hamel** in view of Bates teaches the method according to

claim 2 wherein the creating step further comprises storing the bookmarks and the voice

mail message intermingled as the bookmarked message (*col.3 lines 16-55, col.4 lines*

55-67, col.5 lines 16-48, and col.8 lines 35-67).

Regarding claims 24, 49, and 74 **Hamel** in view of Bates teaches a method,

system and computer program product according to claims 3, 35, and 58, further

comprising announcing for the bookmarked voice mail message, a number of the

bookmarked segments in the voicemail message ((Bates col.2 lines 1-6 and col.7 lines

1-22,*Hamel col.5 lines 16-48, and col.8 lines 35-67; displaying is also announcing).*

Regarding claims 25-26, 50, 75, 83-86 Hamel in view of Bates teaches a method,

system and computer program product according to claims 1, 3, 7, 33, 35, 37, 58, 60,

and 62 further comprising announcing, before, during, or after playing the voicemail

message, the different degree of importance in the voice mail message and a number of

segments thereof*(Bates col.5 lines 21-38, Hamel col.5 lines col.5 lines 22-48, col.7 lines*

1-8, and col.8 lines 35-67; displaying is also announcing).

Regarding claims 27, 51, 76, 87-88 Hamel in view of Bates teaches a method,

system and computer program product according to claims 3, 5, 7, 35, 37, 43, 58, 60,

and 62 further comprising announcing, before and after playing the voicemail message,

the special types of information in the voicemail message((Bates col.2 lines 1-6 and

col.7 lines 1-22; Hamel *col.5 lines 22-48, col.7 lines 1-8, and col.8 lines 35-67;*

displaying is also announcing).

Regarding claims 28, 52, and 77 **Hamel** in view of Bates teaches the method,

system and computer program product according to claims 7, 37, and 62 wherein

particular ones of the special types of information are required, and further comprising

the step of prompting the caller to provide input for each particular one for which no

bookmark is otherwise provided*(col.5 lines 16-48, and col.8 lines 35-67,* Bates col.2

lines 1-6 and col.7 lines 1-22).

Regarding claims 29, 53, and 78 **Hamel** in view of Bates teaches the method,

system and computer program/product according to claims 2, 34, and 58 further

comprising the step of associating one or more audio cues with one or more bookmarks

of the voice mail message(*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and*

col.8 lines 35-67).

Regarding claims 30, 54, and 79 **Hamel** in view of Bates teaches the method,

system and computer program product according to claims 29, 53, and 78 further

comprising the steps of playing the bookmarked message to a listener; and

incorporating the one or more associated audio cues along with respective portions of

the voice mail message corresponding to the one or more bookmarks (*col.3 lines 16-55,*

col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67).

Regarding claims 31, 55, and 80 **Hamel** in view of Bates teaches the method,

system and computer program product according to claims 30, 54, and 79 wherein the

step of incorporating the one or more associated audio cues further comprises

incorporating each associated audio cue with its respective portion of the voice mail

message (*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-67).*

Regarding claims 32, 56, and 81 **Hamel** in view of Bates teaches the method,

system and computer program product according to claims 30, 54, and 79 wherein the

step of incorporating the one or more associated audio cues further comprises

incorporating each associated audio cue in-line with its respective portion of the voice

mail message(*col.3 lines 16-55, col.4 lines 55-67, col.5 lines 16-48, and col.8 lines 35-*

67).

Regarding claims 89-91 **Hamel** in view of Bates teaches a method, system and

computer program product according to claims 1, 33, and 57 wherein the caller provides

a plurality of bookmarks for the voice mail message (*col.3 lines 16-55, col.4 lines 55-67,*

col.5 lines 16-48, and col.8 lines 35-67).

5.   **Claims 8-10, 38, 40, and 63-66 rejected under 35 U.S.C. 103(a) as being**

unpatentable over Hamel in view of Bates further in view of Parsons et al., Patent

#6,970,906.

Regarding claims 8-10, 38, 40, and 63-66 **Hamel** in view of Bates teaches the

method, system and computer program product according to claims 7, 37, and 62.

Hamel is silent about disclosing wherein at least one of the special types of

information is one of a: callback telephone number for the caller; a callback time at

which to respond to the voice mail message; a callback date on which to respond to the

voice mail message; a name of the caller; a URL; an email address; or a

protection/confidentiality indicator.

However, in the same field of endeavor of managing voicemails, Parsons

teaches wherein at least one of the special types of information is one of a: callback

telephone number for the caller; a callback time at which to respond to the voice mail

message; a callback date on which to respond to the voice mail message; a name of

the caller; a URL; an email address; or a protection/confidentiality indicator(Parsons

col.6 lines 16-35 *and col.9 lines 49-57).*

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Hamel's marked segments(Fig.3A) to include a callback telephone number for the caller; a callback time at which to respond to the voice mail message; a callback date on which to respond to the voice mail message; a name of the caller; a URL; an email address; or a protection/confidentiality indicator(Parsons col.6 lines 16-35).

Response to Arguments

6.   Applicant's arguments filed 11/08/2006 have been fully considered but they are not persuasive.

Applicant argues that the secondary reference, Valco, does not disclose marking a plurality of <u>segments</u> of a voicemail message as having one or more different degrees of importance. While examiner agrees that Valco does not disclose marking a plurality of <u>segments</u> of a voicemail message, it is noted that the examiner only uses Valco as a teaching reference to show that files can be marked as either important or not(see Valco col.12 lines 55-59). The primary reference, Hamel, teaches marking a plurality of segments, therefore the secondary reference need only to disclose the silent features per MPEP 103 practice. Prima Facie is established with Valco as both Hamel and Valco have the same field of endeavor, Valco again is used only to show that marking messages with different degrees of importance is not novel as Valco teaches two different degrees of importance, either urgent or not (Valco col.12 lines 55-59).

In the other 103 rejection, Applicant argues that the secondary reference, Bates, does not disclose dividing up a file, such as a voicemail message. While examiner agrees that Bates does not disclose dividing up a file, such as a voicemail message, it is

noted that the examiner only uses Bates as a teaching reference to show that files can be marked as either important or not(see Bates col.2 lines 3-6). The primary reference, Hamel, teaches using bookmarks to divide up or mark a file, such as a voicemail message and therefore the secondary reference is used only to show that marking with different degrees of importance is not novel as Bates teaches two different degrees of importance, either important or not important(Bates col.2 lines 3-6).

Examiner uses two different rejections to show that marking segments with one or more different degrees of importance is known in the art and not the novel feature of applicant's invention and therefore examiner maintains the rejection.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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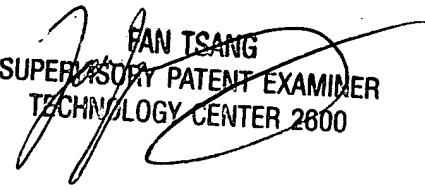
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